



IFW / # 2114

PATENT

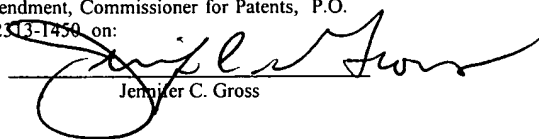
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	GALIPEAU et al.	Examiner:	Dieu Minh T. Le
Application No.:	10/004,377	Art Unit:	2114
Filed:	October 22, 2001	Docket No.:	LEGAP006C2
Title:	BACKING UP SELECTED FILES OF A COMPUTER SYSTEM		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in a prepaid envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

April 7, 2006


Jennifer C. Gross

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TO OBVIATE AN OBVIOUSNESS-TYPE
DOUBLE PATENTING REJECTION

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
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Sir:

The owner(s), Legato Systems, Inc., of the entire interest in the above-identified application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of prior United States Patent No. 6,308,283, and 5,799,141 (hereafter "prior patent"), as presently shortened by any terminal disclaimer. The owner(s) hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to

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pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued or is in any matter terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an agent or attorney of record.

Enclosed is our Check No. 2285 in the amount of \$130.00 to cover the disclaimer fee. If the required fees are not enclosed or additional fees are required to facilitate filing of this paper, please charge such fees or credit any overpayment to Deposit Account No. 50-0685 (Order No.LEGAP006C2).

Respectfully submitted,



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Date: 4/6/06

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